

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

DAVID D. HARRIS,

Plaintiff,

v.

J. DUBE,

Defendant.

No. 2:23-CV-1664-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court is Plaintiff's motion, ECF No. 24, entitled "Motion Requesting Production of Mental Health Documents. . . Injunctive Relief and Reply to Defendant's Motion to Dismiss." ECF No. 24. To the extent Plaintiff's filing constitutes a sur-reply brief which has not been authorized by the Court, the filing is addressed in separate findings and recommendations issued herewith.

The remainder of Plaintiff's filing, while entitled "Injunctive Relief," is a request for an order directing Defendant to produce mental health records. This request will be denied without prejudice to renewal if warranted after the Court has issued a discovery and scheduling order and following service by Plaintiff of appropriate discovery requests to Defendant should Defendant fail to adequately respond to such requests.

///

1 Accordingly, IT IS HEREBY ORDERED that Plaintiff's filing at ECF No. 24 is
2 DENIED without prejudice to the extent Plaintiff seeks an order compelling discovery.

3
4 Dated: July 8, 2024

A handwritten signature in dark ink, appearing to read 'Dennis M. Cota', written over a horizontal line.

DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE